FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * *

The Petitioners herein request a variance to permit a side yard setback of 7 feet in lieu of the required minimum of 10 feet for a proposed two-story addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Joseph Askew, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 3606 Landbeck Road, consists of 0.60 acres zoned D.R. 5.5 and is improved with a single family dwelling. Petitioners are desirous of converting an existing porch on the front of the subject dwelling and constructing a two story addition to the front and side of the existing dwelling to provide more habitable space and a foyer entrance on the first floor and storage and closet space on the second floor. Petitioner testified the foundation for the proposed improvements is already in place and that he has spoken with the adjoining property owners who have no objections to his plans. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Sec-O m tion 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and,

PROPERTY DESCRIPTION

This property is located on the west side of Landbeck Rd. which is 40' r/w, 271' 10-3/4' to the north side of Liberty Rd. which is 66' r/w. Being lot no. 2, section B, as laid out and shown on plat of Hayward Heights, recorded among the Land Records of Baltimore County, Maryland in Plat Book Liber WPC No. 7, folio 49. Known as 3606 Landbeck Rd. in Election District #3.

PUBLIC HEARING FEES

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therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner. Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the

requested variance should be granted. THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of August, 1990 that the Petition for Zoning Variance to permit a side yard setback of 7 feet in lieu of the required minimum of 10 feet for a proposed two-story addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

following restriction:

2' The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

for Baltimore County

90-538-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

•	•
District 3 rd	Date of Posting July 9, 1990
Petitioner: Joseph Askew e Location of property: W/5 Landbeck Pos 3606 Landbeck Road	t uf
Location of property: W/5 Landbeck Pos	ed, 271' N of Liberty Road
3606 Landbeck Goad	
Location of Signer In front of 3606	Landbeck Road
Remarks:	
Posted by Signature Number of Signs:	Date of return: July 13, 1990

MOTICE OF HEARING The Zoning Commissioner of Bettimore County, by authority of the Zoning Act and Regulations of Bettimore County wit hold a public hearing on the property identified herein in Room 108 of the County Office Building, lo-cated at 111 W. Chesepeaks Av-Petition for Zoning Variance
Case number: 90-538-A
W/S Landbeck Road, 271' N
of Liberty Road
3608 Landbeck Road
3608 Landbeck Road
361 dection District
2nd Councilmanic
Petitioner(s):
Joseph Ashew, et ux Variance: to permit a side yer selback of 7 feet in lieu of the re-quired minimum of 10 feet for s proposed addition.
In the event that this Petition granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the is suence of said permit during this period for good cause shows Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on 1145. 1990.

5. Zehe Orlin

PO 105564

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

Mr. & Mrs. Joseph Askew 3606 Landbeck Road Baltimore, Maryland 21207

RE: PETITION FOR ZONING VARIANCE W/S Landbeck Road, 271' N of Liberty Road (3606 Landbeck Road) 3rd Election District - 2nd Councilmanic District Joseph Askew, et ux - Petitioners Case No. 90-538-A

Dear Mr. & Mrs. Askew:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> J. ROBERT HAINES Zoning Commissioner for Baltimore County

JRH:bjs

cc: People's Counsel

File

	FOR SALE
•	YARD SALE—St. Barnabas Parish House, Main St., Sykesville. New & Nicer Shop & Bargains. Racks restocked each Sat. Saturdays, July 7-Aug. 25, 10-2.
	MOVING SALE—Good prices. Sofa, white dresser, desk, nightstand, blue carpet 12 x 15. Call 484-9465.
	YARD SALE—Multi-family, July 7. (Raindate 7/8), from 9 a.m2 p.m. at 3003 W. Northern Pkwy. Everything must go!
	FLEA MARKET/CRAFT SHOW-Aug. 4 & 5, 9 a.m. 4 p.m. indoors.

\$868 SWIMMING POOL Due to the rainy season, we are cyers 24' × 32' pools. Includes huge deck w filter, ladders & skimmer, etc. Finar stallation available. Ask about equally discounted pools. Wholesale Pool Dist., Corp. • MHI

FOR SALE FOL

Call toll-free 24 hours • 1-800-Owings Mills Fairlanes (Garrison Forest S.C.). Tables \$10. Sponsored LEGAL NOTICE by Murray I. Gruss Memorial Foundation. Proceeds to BCGH Foundation. Info/reservations, 363-6969 LEGAL NOTICE

BALTIMORE COUNTY ZONING COMMISSIONER OFFICE OF PLANNING & ZONING NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and public hearing on the property identified in Room 106 of the County Office E Maryland Et 111 W. Cresspeaks Avenue in Towson, Maryland 21204 as follows. Petition for Zoning Variance CASE NUMBER: 90-540-A N/S Church Lane, 30' of c/lof Bedford Avenue

In the event that this Petition is granted, a

building permit may be issued within thirty (30) day appeal period. The Zoning Commissioner will, however, entertien erry request for a stay of the issuance of each permit owner, and for good cause shown. Such request must be in

BALTIMORE COUNTY ZONING COMMISSIONER OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Saltimore County will hold a public hearing on the property identified herein in Room 100 castle County Differs guilding located at W. Chesapoeke Averue in Teason, 100 Church Lane
3rd Election District—3rd Councilments
Petitioner(s): 100 Church Lane Partnership
HEARING: WEDNESDAY, August 1, 1990 at

RANDALLSTOP Ba rancher on 2, Variance to permit a side yard setback of 7 a proposed addition. In the event that this Petition is granted, a building permit may be lesued within thirty (30) day appeal ported. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period

RESPONSIBLE wanted for 2 BR PERSO VISA/MASTERCA

HELPV

REAL

ATTENTION: E

Details, 1-602

CERTIFICATE OF PUBLICATION

Pikesville, Md., 7/4	9
THIS IS TO CERTIFY, that the annexed advertisement	
was published in the NORTHWEST STAR, a weekly	
newspaper published in Pikesville, Baltimore	
County Naryland before the	
County Haryland before the 54 day of	ŕ
the first publication appearing and the	
the good day of July 19 90	
the second publication appearing on the	
day of	
the third publication appearing on the	,

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 To permit a side yard setback of 7 feet in lieu of the required minimum of 10 feet for a proposed addition.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The closes space in our 35 year old house is limited the 320 6'x7' ft. closet on the 2st flour will provide the additional closet space with out losing living space. The free Foyer will provide a entrance and area for removing G-ze. tracking through the living room.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
N/A	Joseph Askew
(Type or Print Name)	(Time on Drint Nome)
	Fernal - Keller
Signature	Signature Suph Asiew
	Gwegdolyn Patterson-Askew
Address	/Tilfo/or Drinf/Nam#Y // // // //
,	Molvelyn Fattlows As
City and State	Signature //
Attorney for Petitioner:	
N/A	3606 Landbeck Rd. 944-4698
(Type or Print Name)	Address Phone No.
	Baltimore co. mo 21207
Signature	City and State
1	Name, address and phone number of legal owner, con-

4	Address	tract purchaser or representative	to be contacted
3		Joseph Askew	
Z	City and State	Name ¹	_
	Attorney's Telephone No.:	3606 Landbeck ld.	944-4698
1	Atwiney's Totephone Ito., Later Late	Address	Phone No.
M.	ODDDDD Dy The Toring Commissioner of	Paltimora County this	64C day
╱ ┤	ORDERUD By The Zoning Commissioner of	Dartimore County, ims	way

_, 19_90, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

ESTIMATED LENGTH OF HEARING AVAILABLE FOR BEARING
MON./TUES./1.20. - NEXT TRO HONERS

> Baltimore County **Zoning Commisioner** County Office Building 111 West Chesapeake Avenue

PUBLIC HEARTI	VG FEES	(YTE	PRICE	
080 -POSTING	SIGNS /	ADVERTISING	1 X	\$95.70	
			TOTAL:	\$95.70	
LAST NAME OF	OWNER:	ASKEW			

04A04#0123MICHRC BA CO11:03AMD8-03-90

Baltimore County
Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887 3353 J. Robert Haines Zoning Commissioner

Mr. & Mrs. Joseph Askew 3606 Landbeck Road Baltimore, Maryland 21207

Re: Petition for Zoning Variance CASE NUMBER: 90-538-A W/S Landbeck Road, 271 N of Liberty Road 3606 Landbeck Road 3rd Election District - 2nd Councilmanic Petitioner(s): Joseph Ashew, et ux HEARING: WEDNESDAY, AUGUST 1, 1990 at 9:30 a.m.

Dear Petitioners:

Please be advised that \$95.70 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

June 8, 1990

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Lvenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance CASE NUMBER: 90-538-A W/S Landbeck Road, 271' N of Liberty Road 3606 Landbeck Road 3rd Election District - 2nd Councilmanic Petitioner(s): Joseph Ashew, et ux HEARING: WEDNESDAY, AUGUST 1, 1930 at 9:30 a.m.

Variance to permit a side yard setback of 7 feet in lieu of the required minimum of 10 feet for a proposed addtion.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, extertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Baltimore County

cc: Mr. & Mrs. Askew

BALTIMORE COUNTY, MARYLAND

Dennis F. Rasmussen
County Executive

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: May 23, 1990

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Joseph Askew, et ux, Item No. 397

The Petitioners request a Variance to side yard setback requirements.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County . Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

June 6, 1990

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 388, 394, 396, 397, 398, 399, 400, 403, 404, 402, 406 and 407.

Very truly yours,

MSF/lvw

ZONING OFFICE

Dennis F. Rasmussen

Traffic Engineer Associate II

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353 J. Robert Haines Zoning Commissioner

July 11, 1990

Mr. & Mrs. Jospeh Askew 3606 Landbeck Road Baltimore, MD 21207



RE: Item No. 397, Case No. 90-538-A Petitioner: Joseph Askew, et ux Petition for Zoning Variance

Dear Mr. & Mrs. Askew:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Enclosures

Baltimore County

Fire Department

(301) 887-4500

Paul H. Reincke

700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this 6th day of June, 1990.

ZONING COMMISSIONER

Petitioner: Jospeh Askew, et ux Petitioner's Attorney:

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

RE: Property Owner:

JOSEPH ASKEW

#3606 LANDBECK ROAD Location:

Item No.: 397 Zoning Agenda: JUNE 5, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

JUNE 4, 1990

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

Fire Prevention Bureau Special Inspection Division

JR/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 29, 1990 FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for June 5, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for 1tems 387, 388, 394, 396, 397, 398, 399, 400, 402, 403, 404, 406 and 407.

For Item 401, the previous County Review Group comments still apply.

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division



